IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.13074 of 2006

Dated: June 29, 2006

Between:

S. Fareedabi, D/o. Shalimiah, aged about 48 years, working as Contract Junior Lecturer in Civics, and another.

… Petitioners

And

Andhra Pradesh Residential Educational Institutions' Society, represented by its Secretary, Gagan Vihar, M.J. Road, Hyderabad, and another.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in issuing the notification dated 04-05-2006 as illegal and arbitrary.

2. The petitioners were appointed as junior lecturers in the second respondent college on contract basis in the year 2002. It is their case that at the time of their appointment, the respondents issued

notification calling for the candidature of the eligible candidates for appointment on contract basis and they were appointed after going through the process of selection. Their grievance is that again the respondent issued notification dated 04-05-2006, calling for fresh candidates for appointment on contract basis to the posts occupied by the petitioners. According to them, a temporary employee cannot be replaced by another temporary employee.

3. However, it is to be seen that the petitioners were only appointed on contract basis and later, on expiry of the contract period, their services were terminated by the respondents, by proceedings dated 28-03-2005. As much as the contract period is already over, the petitioners do not have any right to continue as such and there is no basis to grant the relief as prayed for.

4. Hence, I do not find any reason to declare the impugned notification as illegal. However, the respondents, keeping in view the earlier services of the petitioners, may consider their case along with other applicants if they have offered their candidature pursuant to the notification dated 04-05-2006.

5. The writ petition is disposed of with the above observations. No order as to costs.

JUSTICE R. SUBHASH REDDY.

June 29, 2006
MRR